

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: DIGITEK
PRODUCTS LIABILITY LITIGATION

MDL NO. 1968

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER #67

(Notice of Mandatory Docket Conference for Remaining Plaintiffs)

Based upon the Settlement Agreement eligibility requirements and opt-out process, 35 cases currently remain in MDL 1968. I will be considering the necessary case events and deadlines for the remaining plaintiffs at a hearing to be held on **November 17, 2010, at 9:00 a.m.**, Room 7000, Robert C. Byrd United States Courthouse, 300 Virginia Street East, Charleston, West Virginia.


Counsel for each remaining plaintiff is **ORDERED** to appear at the hearing. Parties not represented by counsel must appear in person.

The existing stay imposed by PTO #62 shall continue pending further order of the court. Counsel should be prepared to address at the hearing all matters related to the continued prosecution of the remaining cases, including the timing of any order lifting the stay and the case events and deadlines necessary to bring these cases to a speedy and final judgment. I expect to address in particular rescheduling the *Daubert* hearing and trial dates.

The court **DIRECTS** the Clerk to file a copy of this order in 2:08-md-1968 which shall apply to each member Digitek-related case previously transferred to, removed to, or filed in the is district,

which includes counsel in all member cases up to and including civil action number 2-10 -cv-01205. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsc.uscourts.gov.

ENTER: October 21, 2010



Joseph R. Goodwin, Chief Judge